

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
 Elisabeth BOCK et al.
 Serial No. 10/574,084
 IA Filing Date: September 29, 2004
 For: A METHOD OF MODULATING CELL SURVIVAL,...

Atty's Dkt: BOCK9

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 3782
) Date: May 15, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated March 15, 2007. Attached hereto is/are:

- ☒ An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and PCT information.
☒ Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy with disk.
☒ Preliminary Amendment
☒ Additional fees as calculated below:

<input checked="" type="checkbox"/> Search fee		\$400.00
<input checked="" type="checkbox"/> Examination fee		\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
2	X \$250.00	\$500.00
Number of Claims Previously Paid For	Number of Extra Claims	Rate
41- 20 =	21	X \$ 50.00
1- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$2280.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$1140.00 >
SUBTOTAL		\$1140.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$1140.00

- [] Surcharge for late filing of the Declaration was paid on _____
 [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity		
Response Filed Within		
[] First	-	\$ 60.00
[] Second	-	\$ 225.00
[] Third	-	\$ 510.00
[] Fourth	-	\$ 795.00
[] Fifth	-	\$1,080.00
month after time period set		

Other Than Small Entity		
Response Filed Within		
[] First	-	\$ 120.00
[] Second	-	\$ 450.00
[] Third	-	\$1,020.00
[] Fourth	-	\$1,590.00
[] Fifth	-	\$2,160.00
month after time period set		

- ☒ Total fees enclosed: \$1140.00
☒ Submitted herewith is a Credit Card Authorization, authorizing payment the amount of \$1140.00 is enclosed to cover the above fees.
☒ Conditional Petition for Extension of Time:
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

05/16/2007 MKAYPAGH 00000132 10574084

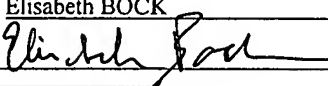
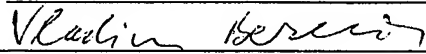
01 FC:2642 200.00 OP
 02 FC:2633 100.00 OP
 03 FC:2617 65.00 OP
 04 FC:2615 525.00 OP
 05 FC:2616 250.00 OP

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:

Iver P. Cooper
 Registration No. 28,005

**COMBINED DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY FOR
UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET
(37 CFR 1.76)**

TITLE OF THE INVENTION	A METHOD OF MODULATING CELL SURVIVAL, DIFFERENTIATION AND/OR SYNAPTIC PLASTICITY
<p>This declaration is directed to:</p> <p><input type="checkbox"/> the attached application;</p> <p><input type="checkbox"/> the application filed in the United States under 35 U.S.C. §111 on _____, as U.S. Appl. No. _____*; or</p> <p><input checked="" type="checkbox"/> the application which was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international (PCT) application, <u>PCT/DK2004/000659</u>; filed September 29, 2004, entry requested on March 30, 2006; national stage application received U.S. Appl. No. 10/574,084; §371/§102(e) date _____* (* if known)</p> <p><input type="checkbox"/> as amended on _____ (if applicable).</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.</p> <p>All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p> <p>As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p> <p style="text-align: center;">All of the practitioners associated with Customer Number 001444</p> <p>Direct all correspondence to the address associated with Customer Number 001444, which is presently:</p> <p style="text-align: center;">BROWDY AND NEIMARK, P.L.L.C. 624 Ninth Street, N.W. Washington, D.C. 20001-5303 (202) 628-5197</p> <p>The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from <u>HOIBERG A/S</u> as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.</p>	
FULL NAME OF INVENTOR(S)	
Inventor one: <u>Elisabeth BOCK</u>	Date: _____
Signature: <u></u>	Citizen of: <u>Denmark</u>
Inventor two: <u>Vladimir BEREZIN</u>	
Signature: <u></u>	Citizen of: <u>Denmark</u>

Title: A METHOD OF MODULATING CELL SURVIVAL, DIFFERENTIATION AND/OR SYNAPTIC PLASTICITY

U.S. Application filed _____, Serial No. _____

PCT Application filed September 29, 2004, Serial No. PCT/DK2004/000659

Inventor three: Vladyslav SOROKA

Date: _____

Signature: Vladyslav Soroka

Citizen of: UKRAINE

Inventor four: _____

Date: _____

Signature: _____

Citizen of: _____

Inventor five: _____

Date: _____

Signature: _____

Citizen of: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

All inventors must review application and declaration before signing. All alterations must be initialed and dated by all inventors prior to execution. No alterations can be made after the declaration is signed. All pages of the declaration must be seen by all inventors.

Resolving conflicts between Application Data Sheets and Declaration occurs as follows: (1) normally, the latest submitted information governs, (2) if an Application Data Sheet and a declaration are filed the same day, the Application Data Sheet governs, except with respect to the naming of inventors and the identification of their citizenship. Sec 37 CFR 1.76(d).